

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.98 of 2025

Arising Out of PS. Case No.-137 Year-2024 Thana- MANIHARI District- Katihar

Nitish Kumar Yadav S/o Birendra Yadav R/o Mednipur, P.S.- Manihari, Distt.-
Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 04-02-2025 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.
3. As per prosecution case, 12.25 litres foreign liquor has been recovered from the bag allegedly thrown by the petitioner and others.
4. Learned counsel for the petitioner submits that no incriminating material has been recovered from conscious possession of the petitioner. Petitioner is neither driver nor owner of the vehicle in question and he has got no concern with the alleged recovery. Petitioner has got no criminal antecedent of similar nature.
5. Considering the aforesaid facts and circumstances



of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge cum Exclusive Special Excise Court No. 2, Katihar in connection with Manihari P. S. Case No. 137 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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